

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BROOKS GOPLIN,
individually and on behalf
of all others similarly situated,

Plaintiff,

Case No. 17-cv-773

vs.

WECONNECT, INC.,

Defendant.

NOTICE OF APPEAL

Pursuant to Section 16 of the Federal Arbitration Act, Defendant WeConnect, Inc. (“WeConnect”) hereby gives notice that it appeals to the United States Court of Appeals for the Seventh Circuit from this Court’s Opinion and Order entered on December 28, 2017 [Docket No. 20] denying WeConnect’s Motion to Dismiss or, alternatively, Stay Proceedings pursuant to 9 U.S.C. § 4 and Federal Rule of Civil Procedure 12(b)(3). *See* 9 U.S.C. § 16(a) (allowing an immediate appeal of an order denying a request to order arbitration or a final decision with respect to an arbitration).

In addition, WeConnect notes that it has or will file a motion for reconsideration of this Court’s Opinion and Order. It is not entirely clear whether the motion for reconsideration tolls the deadline for filing this Notice of Appeal. *See* Federal Rules of Appellate Procedure (4)(a)(4)(A). As a result, and out of an abundance of caution in order to protect its appeal rights, WeConnect gives notice that it appeals this Court’s December 28, 2017 Opinion and Order with the understanding that this Notice may not become effective until this Court disposes of

WeConnect's motion for reconsideration. See Federal Rules of Appellate Procedure

(4)(a)(4)(B)(i).

Dated this 25th day of January, 2018.

LAW FIRM OF CONWAY, OLEJNICZAK & JERRY, S.C.
Attorneys for WeConnect, Inc.

By: s/Ross W. Townsend
Ross W. Townsend (Counsel of Record)
Kurt A. Goehre
Wisconsin State Bar Nos. 1011622 & 1068003
Email: RWT@lcojlaw.com & KAG@lcojlaw.com
231 South Adams Street
P.O. Box 23200
Green Bay, WI 54305-3200
Telephone: (920) 437-0476
Facsimile: (920) 437-2868